

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 3, 4, 7, and 8 remain pending, claims 3 and 7 being independent.

Prior Art Rejection

Claims 3, 4, 7, and 8 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over *Timmermans* (U.S. Patent 5,633,726) in view of Photoshop 5 by Adobe. This rejection is respectfully traversed.

Independent claim 3 is directed to a reproduction apparatus comprising: a reading unit for reading digital image data from a recording medium on which the digital image data, data representing the size of a full image and data representing the size of an effective image have been stored in mutually correlated form; a display for displaying an image which represents the digital image data that has been read; and aspect altering means responsive to an entered aspect alteration command for rewriting the data representing the size of the effective image, which data has been recorded on the recording medium, by new data representing an instructed size for the effective image.

Independent claim 7 is directed to a reproduction apparatus comprising: readout means for reading data out of a recording medium on which digital image data, data representing the size of a full image and data representing the size of an effective image

have been stored in mutually correlated form; manipulating means for manipulating the digital image data, which has been read out by said readout means, to image data representing an image having an aspect ratio stipulated by the data representing the size of the effective image; and display means for displaying the image represented by the image data manipulated by said manipulating means.

In the new grounds of rejection asserted against independent claims 3 and 7, the Examiner appears to acknowledge on page 3 of the Office Action that *Timmermans* fails to disclose that the size of full image is stored on a recording medium in mutually correlated form with data representing the size of an effective image, but relies on the newly-applied secondary reference, Adobe Photoshop 5, as allegedly making up for these deficiencies. Applicant notes, however, that the prior art date identified by the Examiner for Adobe Photoshop 5 is May, 1998, whereas the present application claims priority under 35 U.S.C. § 120 back to the August 13, 1996 filing date of the parent application (Serial No. 08/696,062). Therefore, the Examiner has failed to establish that Adobe Photoshop 5 qualifies as prior art against the present application under any provision of 35 U.S.C. § 102. At least for this reason, Applicant respectfully submits that the prior art rejection should be withdrawn. Furthermore, the portion of Adobe Photoshop 5 identified by the Examiner appears to merely relate to

resizing of graphics (see e.g., page 633 of Adobe Photoshop 5), and does not appear to make up for the deficiencies of *Timmermans* discussed in the Reply dated April 22, 2004 or suggest any modification of *Timmermans* that would satisfy the limitations of the presently-pending claims.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection under 35 U.S.C. § 103.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

D. Richard Anderson, #40,439

DRA/jdm
0905-0225P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

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